



Officer Report

Application Number:	HGY/2024/2904
Application Type:	Full planning permission
Address:	105 Brantwood Road, Tottenham, N17 0DX
Proposal:	Change of use from office use (Class E Use) to six self-contained residential flats (Class C3 Use), including the formation of a new roof, new windows and new external render (part retrospective application).
Case Officer:	Neil McClellan
Valid Date:	22/11/2024
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Applicant:	Investment SH Ltd
Agent:	Mr Ivan Chonkov

RECOMMENDATION

Refuse

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

This is an application for the change of use from office use (Class E Use) to six self-contained residential flats (Class C3 Use), including the formation of a new roof, new windows and new external render (part retrospective application).

Site and Surroundings

The application site was a 2-storey office building fronting Brantwood Road that was originally ancillary to the larger warehouse building that adjoins it to the rear. The office building at some point in the past has been separated off from the parent use to the rear and now forms a separate self-contained building.

The height of the building has recently been raised, a mezzanine floor constructed and additional windows and other alterations to the front elevation carried out, following the grant of permission (see planning history below). This planning permission was to increase the buildings commercial floor space. However, it appears that works to convert the extended building into residential accommodation has already commenced.

The building is adjacent to terraced housing fronting Brantwood Road. The rest of the neighbouring uses, including those opposite are comprised of various industrial/warehouse uses.

The site is within the Brantwood Strategic Industrial Location.

It is not in a conservation area or adjacent to the curtilage of a listed building.

Planning & Enforcement History

The following previous applications are considered relevant to the current proposal.

HGY/2024/2404 - Prior approval **refused** for the proposed change of use of the building from commercial, business and service (Use Class E) to residential dwellings (Use Class C3). Application made under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA.

PRE/2023/0130 - Application for pre-application advice for proposed increase in the height of the building by an additional two stories and its use as either affordable workspace or a mix of affordable workspace and affordable housing. **Summary of the Council's response:** Officers were concerned that an additional two stories would result in a top heavy, ill-proportioned building that would relate poorly to the original buildings form. The introduction of residential use would not be supported given the site's location within a designated Strategic Industrial Location.

HGY/2023/0633 - Planning permission **granted** for an increase in height of the building's roof, creation of a new mezzanine/third storey level and installation of a new row of upper-level windows in the front elevation of the office building fronting Brantwood Road. This was a part retrospective application.

HGY/2013/0665 - Planning permission **granted** for formation of vehicle crossover. Although the site address was sated as 105 Brantwood Road, the red line location plan outlined only the adjacent site and not the offices fronting Brantwood Road.

HGY/2006/0994 - Planning permission **granted** for the partial demolition and erection of single storey extension to existing depot with alteration to existing crossover to Brentwood Road.

HGY/2004/0018 - Planning permission **granted** for the erection of single storey extension with mezzanine offices to existing warehouse and new 2 storey warehouse building and associated loading/unloading/parking facilities.

LOCAL REPRESENTATIONS

The application has been publicised by way of neighbour letters. No representations received from neighbours, local groups, etc in response to notification and publicity of the application.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Principle of the development;
2. Design and appearance;
3. Residential standards;
4. Impact on neighbouring amenity;
5. Highways and servicing;
6. Sustainability.

Principle of the development

Local Plan Policy SP8 states that the Council will secure a strong economy in Haringey and protect the borough's hierarchy of employment land, Strategic Industrial Locations, Locally Significant Industrial Sites and Local Employment Areas.

DM Policy DM37 states that within the designated industrial and local employment areas identified on Haringey's Policies Map, proposals for the intensification, renewal and modernisation of employment land and floorspace will be supported in principle, subject to other relevant considerations.

London Plan Policy GG5 'Growing a good economy' states that the planning must plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

London Plan Policy E1 'Offices' recognises that outside of London's Central Activity Zone and its other nationally significant office locations, there exists diverse office markets that should be consolidated and – where viable – extended, focusing new development in town centres and other existing office clusters. Viable office space should be protected through the removal of permitted development rights. Development proposals related to new or existing offices should take into account the need for a range of suitable workspace including lower cost and affordable workspace.

London Plan Policy E2 'Providing suitable business space', requires boroughs to support the provision, and where appropriate, protection of a range of business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand. Existing business space should be protected from redevelopment/change of use, unless it can be demonstrated that space is no longer viable or is replaced by an equivalent or greater amount of commercial space.

London Plan Policy E4 'Land for industry, logistics and services to support London's economic function', sets out the three categories of protected industrial locations, and the range of industrial-type activities that should be supported within them.

London Plan Policy E5 'Strategic Industrial Locations' supports development proposals where the uses fall within those supported by Policy E4. Development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial-type activities and their ability to operate on a 24-hour basis.

The office building at some point in the past has been separated off from the parent use to the rear and now forms a self-contained building. There is no planning history for this. A site visit carried out last year seemed to confirm the offices had been vacant for some time and that openings between the application building and the warehouse to the rear appear to have been sealed up, but it was not clear for how long. According to the applicant it has been years. It's also not clear whether or not the office has ever been used separately from the warehouse.

The site visit confirms that the large warehouse to the rear continues to operate successfully without the former ancillary office building that is now the subject of this application. The warehouse's administration activities are undertaken within a small, designated office area within the main building. The size of the former ancillary office that is the subject of this application appears to be overly large for a modern warehouse/distribution use and no doubt harks back to an era when such support activities were more labour intensive.

In granting the previous permission to extend the existing office use, it was considered appropriate, given the range of uses now covered by Use Class E and given the permitted changes of use allowed by the general permitted development order, to restrict through condition the specific acceptable uses within Use Class E itself and prohibiting changes of use permitted by the General Permitted

Development Order. This was in line with the London Plan Policy E2. A subsequent application for prior approval for the change of use of the extended building to residential use was refused (see history above).

As stated above the site is located within the Brantwood Road designated Strategic Industrial Location (SIL) and there is a presumption against the introduction of residential use at this location. It is acknowledged that the site is on the edge of the SIL and that there are residential uses immediately adjacent to industrial uses around the site's location. Notwithstanding this, the proposal would erode land that has been strategically designated for industrial use, or for uses that support the industrial estate's function. This land was designated as such to ensure the supply of sufficient industrial land, for which there is an identified need, to support London's diverse economy. Any reduction in Strategic Industrial Land must be done as part of a thorough strategic assessment of the demand for and supply of such land and not through piecemeal proposals such as the one proposed in this application.

The application is not supported by any strategic survey or evidence to support the reduction in supply of industrial land. A very brief 'Marketing Update' has been submitted stating a lack of interest in the building as an office. This stated that the building has been marketed for 14 months, before permission was gained and implemented to extend the office floor space. This is insufficient evidence to demonstrate a lack of interest in the building, It covers the period prior to its extension and refurbishment of expanded commercial use and does not consider alternative Class E uses permitted by the condition, such as artist studios, music studios, photographic studios, light industrial uses and/or for research and development activities, and/or any other uses within the Use Class E. The marketing information states that the building would need permission for anything other than office use which is not correct.

Furthermore, the encroachment of residential use into the estate could put pressure on adjacent industrial uses in terms of hours of operation and noise generation that could impact on their continuing viability.

The applicant has pointed out a planning permission granted in 2015 for the residential conversion of a building within the SIL. However, that permission followed an earlier grant of prior approval for the residential conversion of the same building. This route is not available on the current application site due to a condition restricting such changes under permitted development on this site. Also, the building includes a substantial amount of new floor space that has never been used and therefore does not meet the rolling 2-years of continuous use requirement for such changes of use to be permitted. Furthermore, the planning permission referred to predates both the current Local Development Plan and London Plan.

For the reasons set out above the principle of converting the building to residential use is considered unacceptable.

Design and appearance

London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D3 'Delivering good Design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

DM Policy (2017) DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, should be of a high, site specific, and sensitive design quality, and should respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. High quality

matching or complementary materials should be used appropriately and sensitively in relation to the context. Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, Local Plan (2017) Policy SP11 requires the highest standard of design that respects its local context and character and historic significance.

The external works to facilitate the proposed development have already been undertaken. The increase in height of the building and the addition of an additional mezzanine floor level has already been approved (HGY/2023/0633). However, some of the buildings original detailing, particularly the brick banding around the central bay, shown as being retained in the previous permission, have been rendered over. A condition attached to that permission requiring the submission and approval of further details of the replacement windows has not been complied with. The windows that have been installed are not considered to be of good enough quality or the right design and do not compliment the building. In addition, the current application proposes introducing a shallow pitched roof and seeks approval for the removal of the detailing shown as retained in the previous permission.

The loss of original details and the poor quality and inappropriate design of the new and replacement windows are considered to be detrimental to the character and appearance of the area and harmful to local visual amenity.

Residential Standards

London Plan Policy D6 requires housing developments to be of high-quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.

Four of the proposed flats are 1-bedroom/2-person sized units for which the minimum internal floor space standard set out in the London Plan and Nationally Described Space Standards is 50sqm. The other two flats are proposed as 2-bedroom/4-person units for which the minimum standard is 61sqm. All six of the proposed flats will meet this requirement:

Flat 1 – 1-bedroom/2-person – 51.7sqm
Flat 2 – 1-bedroom/2-person – 52.4sqm
Flat 3 – 1-bedroom/2-person – 52.7sqm
Flat 4 – 2-bedroom/3-person – 64.2sqm
Flat 5 – 1-bedroom/2-person – 52.7sqm
Flat 6 – 2-bedroom/4-person – 63.4sqm

Although of an adequate size, all six of the proposed flats are considered to fall short in other aspects of residential quality.

All the proposed dwellings are single aspect which is contrary to London Plan residential standards. Furthermore, all windows would be south facing raising concerns about overheating and the difficulties of naturally ventilating the dwellings.

Ground floor units will have their only windows facing directly on to the street raising concerns about the privacy of future occupants of these units. In order to ensure their privacy, the occupants would need to permanently have their window coverings down removing outlook and reducing natural light. A subsequent email from the agent has confirmed it is their intention to install obscured glazing to the ground floor units. This may ensure sufficient daylight and may secure the privacy of residents

but at the expense of providing any outlook, which is already compromised, given the single aspect nature of the units proposed.

No external amenity space is provided, which is also contrary to London Plan residential standards. The applicant has referred to nearby public open spaces, but these are not close enough to be seen as compensation for the lack of directly accessible amenity space, particularly in a development that has introduced significant new floor space.

Given the above concerns, the proposed units are not considered capable of providing an acceptable quality of living environment for future occupiers.

Impact on the amenity of adjoining occupiers

No additional floor space or extensions are proposed. The change of use of the existing floor space to residential use does not raise any concerns in terms of its impact on neighbouring amenity.

Parking and highway safety

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

Local Plan (2017) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.

DM Policy (2017) DM32 'Parking' states that the Council will support proposals for new development with limited or no on-site parking where there are alternative and accessible means of transport available.

The site has no capacity to provide onsite car-parking. While the PTAL of the site is not particularly high (3) the site is actually within a relatively short 9-minute walk of the High Road, Tottenham and its numerous and frequent bus services, within a 20-minute walk of White Hart Lane overground station. Northumberland Park and Meridian Water Stations are also within walking distance. As such the site's real accessibility to public transport is considered higher than its formal PTAL rating. However, the introduction of 6 residential units is likely to create additional demand for on street parking. Brantwood Road and surrounding streets are known to experience high levels of on street parking. The site is in a CPZ, so on-street parking by future residents could be prevented through a legal agreement to prevent residents from applying for parking permits. No parking survey has been submitted, but the transport statement supporting the application presents the scheme as being car free. However, in the absence of an appropriate legal agreement restricting future residents from applying for parking permits, the scheme cannot be secured as car free.

The London Plan (Policy T5) standard for cycle parking provision for a residential scheme of this size would be ten long-stay spaces and two short-stay spaces. The submitted transport statement states that this number will be met. The proposed cycle storage arrangements have been revised and are now accessed directly from the street rather than from the adjoining warehouse's service yard. This is considered an acceptable arrangement although further details of the storage structure would need to be secured by condition for the scheme to meet London Cycling Design Standards.

Given the above concerns, the proposal is not considered acceptable from a transport perspective.

Waste management

Local Plan Policy SP6 and Development Management, DPD DM4 require development proposals to make adequate provision for waste and recycling storage and collection.

A refuse area is proposed to the side of the building accessed from the service yard of the adjoining warehouse. Further details of this storage area and how it would be managed and safely accessed by residents and refuse collectors would need to be secured by condition if the scheme were to be approved.

Sustainability

The proposed works involve modifying an existing building as opposed to being a new building (new development). Given the constraints of the site there is little opportunity to introduce any significant on-site generation or improvements to the fabric of the building. In this instance the requirements of the building regulations are considered sufficient to ensure that the proposed conversion achieve the optimum energy efficiency in terms of the finished development performance. It is noted that the reuse of this redundant floor space and the retention of the buildings existing fabric is a desirable outcome in terms of sustainability. However, the introduction of single aspect, south facing residential units is likely to necessitate the introduction of mechanical ventilation and air conditioning to prevent overheating. The applicant has confirmed this is their desired solution in a subsequent email, which would be contrary to the Policy SI 4 (Managing Heat Risk) of the London Plan which requires development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. And contrary to the Mayor's cooling hierarchy.

Conclusion

The proposal is considered unacceptable for the reasons set out above.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above. The details of the decision are set out in the **RECOMMENDATION**.

CIL APPLICABLE

The proposed development includes changing the use of recently built commercial floor space that has never been used. Furthermore, more in the absence of any information on the occupancy of the existing office floor space it is likely that the whole scheme is liable for CIL. Based on the information given on the plans, the Mayor's CIL charge will be £26,911.12 (378.55 sqm x 71.09) and the Haringey CIL charge will be £22,292.81 (378.55 sqm x £58.89). This would be collected by Haringey in the event of the development being granted planning permission and after the scheme being implemented. The developer could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

RECOMMENDATION

REFUSE PERMISSION for the following reason(s):

Refusal Reasons:

In the absence of suitable evidence to support the loss of employment space in this location, the proposal would result in the loss of land that has been strategically designated for industrial use, or for uses that support the industrial estate's function and, furthermore, the introduction of residential use into this strategic industrial location could undermine the viability of neighbouring industrial uses. The proposal is therefore considered contrary to Policy GG5, E1, E2, E4 & E5 of the London Plan (2021), Policy SP8 of Haringey's Local Plan (2017) and Policies DM37 of the Haringey Development Management DPD (2017).

The proposed development by reason of the single southerly aspect of the dwellings, the lack of defensible space between the highway and the ground floor units and the lack of external amenity space, would result in a substandard form of housing due to poor outlook, lack of privacy, poor natural ventilation, likely overheating as well as a lack of external amenity space, contrary to Policies D3 & D6 of the London Plan (2021), Policy SP2 of Haringey's Local Plan (2017) and Policies D1 & DM12 of the Haringey Development Management DPD (2017).

The proposed alterations to the exterior detailing of the building's front elevation including the removal of existing architectural features and the poor quality and design of the replacement and new windows, relates poorly to the architecture of the original building, resulting in an uncomplimentary and incongruous form of development to the detriment of local visual amenity, contrary to Policy D3 of the London Plan (2021), Policy SP11 of Haringey's Local Plan (2017) and Policies D1 & DM12 of the Haringey Development Management DPD (2017).

In the absence of an up-to-date parking survey that demonstrates sufficient on-street car parking capacity within the vicinity of the site and in the absence of a suitable undertaking to secure that the occupiers of the new residential units would not be able to apply for on street parking permit, the proposals would have an adverse impact on street parking conditions and highway safety contrary to Policies T4 and T6 of the London Plan (2021), Policy SP7 of Haringey's Local Plan (2017) and Policies D32 & DM33 of the Haringey Development Management DPD (2017).